

AN ORDINANCE 2006-05-18-0601

AUTHORIZING A TOTAL OF \$192,223.00 FOR THE ACQUISITION OF FOUR TRACTS OF LAND TOTALING APPROXIMATELY 14.86 ACRES ALONG SALADO CREEK IN DISTRICT 10, IN CONNECTION WITH THE LINEAR CREEKWAYS DEVELOPMENT PROJECT; AND APPROPRIATING THE REQUIRED FUNDS FROM PROPOSITION 3 SALES TAX INITIATIVE FUNDS.

* * * * *

WHEREAS, under Proposition 3 of the election held on May 6, 2000, the voters of San Antonio approved an increase in the sales tax to fund the purchase of new parkland in the Edwards Aquifer zones as well as linear parks along Leon Creek and Salado Creek; and

WHEREAS, the City has identified for possible purchase four (4) properties located along Salado Creek; and

WHEREAS, the Planning Commission reviewed and recommended these purchases on May 10, 2006; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The fee simple purchase of four (4) properties along Salado Creek listed in Attachment I for a total amount of \$190,400.00 in connection with the Linear Creekways Development Project is hereby authorized. The City Manager, or her designee, is hereby authorized to take all necessary administrative steps, including execution of any legal documents to close said purchase, after review and approval by the City Attorney or his designee, to accomplish the purchase of said properties. Said properties are listed by legal description and address in the document affixed hereto and incorporated herein for all purposes as Attachment I.

SECTION 2. The amount of \$192,223.00 is appropriated in fund 29080000, Linear Park Projects, Internal Order # 390000000309 GL account 6102100 – Interfund Transfer out entitled Transfer to 26-00064-90-01. The amount of \$192,223.00 is authorized to be transferred to fund 40005000

SECTION 3. The budget in fund 40005000, Project Definition 26-00064, Salado Creek Greenway (Acq Prop 3), shall be revised by increasing WBS element 26-00064-90-01 entitled Trf Fr I/O # 390000000309, GL account 6101100 – Interfund Transfer In, by the amount of \$192,223.00

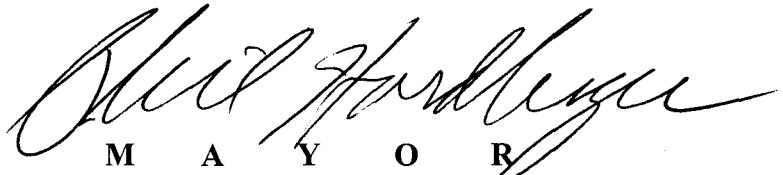
SECTION 4. The amount of \$190,400.00 is appropriated in Fund 40005000, Park Improvements, Project Definition 26-00064, Salado Creek Greenway (Acq Prop 3), WBS element 26-00064-03-02, entitled Land Acquisition, G/L Account 5201110, and is authorized to be encumbered and made payable for Land costs

SECTION 5. The amount of \$1,823.00 is appropriated in Fund 40005000, Park Improvements, Project Definition 26-00064, Salado Creek Greenway (Acq Prop 3), WBS element 26-00064-03-01-08 entitled To Title Company, G/L Account 5201110, and is authorized to be encumbered and made payable for closing costs and title insurance


SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 7. This ordinance shall be effective on and after May 28, 2006.

PASSED AND APPROVED this 18th day of May, 2006.


M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: 11.

Date: 05/18/06

Time: 10:10:52 AM

Vote Type: Multiple selection

Description: An Ordinance authorizing a total of \$192,223.00 for the acquisition of four tracts of land totaling approximately 14.86 acres along Salado Creek in District 10, in connection with the Linear Creekways Development Project; and appropriating the required funds from Proposition 3 Sales Tax Initiative funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

ATTACHMENT I

LIST OF PROPOSED ACQUISITIONS

Council District	Address	Legal Description	Acreage
10	1 Salado Ridge	NCB 13500, Block 1, Lot 9	3.14
10	1 Salado Ridge	NCB 13500, Block 1, Lot 10	3.18
10	1 Salado Ridge	NCB 13500, Block 1, Lot 11	3.67
10	1 Salado Ridge	NCB 13500, Block 1, Lot 12	4.87

**CITY OF SAN ANTONIO
PARKS AND RECREATION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Sheryl Sculley, City Manager

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Ordinance Authorizing the Acquisition of Four Properties Totaling Approximately 14.86 Acres along Salado Creek for the Linear Creekways Development Project

DATE: May 18, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the acquisition of four tracts totaling approximately 14.86 acres of land along Salado Creek in City Council District 10 in connection with the Linear Creekways Development Project for a total of \$190,400.00, authorizes \$1,823.00 for closing costs and title insurance, and appropriates \$192,223.00 from Proposition 3 Sales Tax Initiative funds.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The passage of the Proposition 3 Sales Tax Initiative by referendum in 2000 authorized the collection of a 1/8 cent sales tax to fund the acquisition of properties along Leon and Salado Creeks and subsequent development of Linear Parks. To date, the City has been authorized by ordinance to acquire 710.13 creekway acres. Approval of this action would increase the total number of creekway acquisitions approved by City Council to 724.99.

This ordinance will authorize the acquisition of four tracts totaling approximately 14.86 acres of land along Salado Creek in City Council District 10. The properties to be acquired are located within or adjacent to the 100-year flood plain. These acquisitions will contribute to the assembly of land targeted for multi-use trails under the Linear Creekways Development Project. Upon approval by City Council, closings on the properties are scheduled for the week of June 5, 2006.

The Planning Commission has reviewed and approved this action at its May 10, 2006 meeting.

POLICY ANALYSIS

This acquisition is consistent with the City's Proposition 3 Initiative Sales Tax Initiative in acquiring properties along both Leon and Salado Creeks, and is in keeping with Natural Resource and Urban Design Goals of the San Antonio Master Plan Policies to "Preserve the unique, rare and significant features of San Antonio's natural environment" and to "Develop and maintain a diversified and balanced citywide system of parks and open space".

FISCAL IMPACT

The amount of \$192,223.00 is available from Proposition 3 Sales Tax Initiative funds for land acquisition. The following table summarizes the fiscal impact of the encumbrances to date (including the proposed action) in connection with the Linear Creekways Development Project.

Proposition 3 Sales Tax Initiative Funds (Available for Acquisitions)	\$17,000,000.00
Funds Used to Date	\$7,615,730.75
Remaining Funds Available	\$ 9,384,269.25
Funds Required for Proposed Action	\$192,223.00
Remaining Funds Available	\$9,192,046.25

COORDINATION

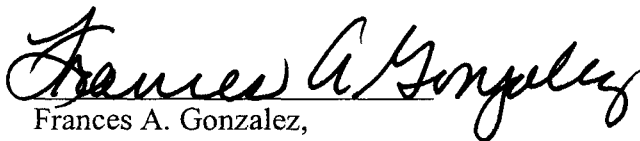
This item has been coordinated with the Finance Department, City Attorney's Office, and Office of Management and Budget.

SUPPLEMENTARY COMMENTS

The following attachments are included for review: Attachment I - Listing of Proposed Acquisitions; Attachment II - Site Location Maps. Discretionary Contracts Disclosure Forms are required and have been completed by the seller.

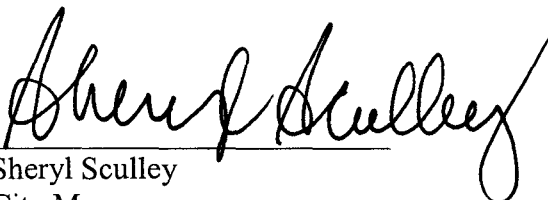


Malcolm Matthews
Director of Parks and Recreation



Frances A. Gonzalez,
Assistant City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager

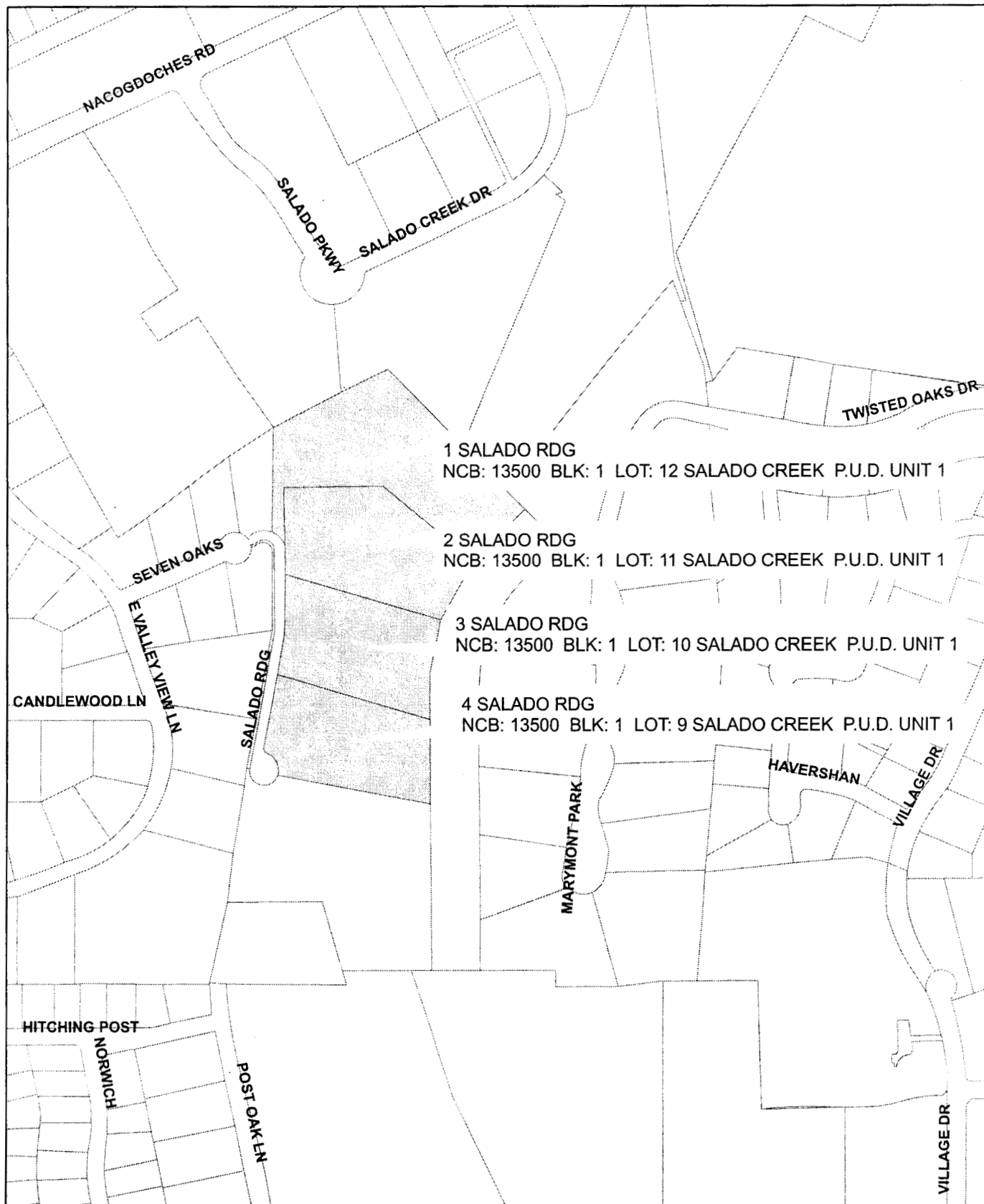
ATTACHMENT I

LIST OF PROPOSED ACQUISITIONS

Council District	Address	Legal Description	Acreage
10	1 Salado Ridge	NCB 13500, Block 1, Lot 9	3.14
10	1 Salado Ridge	NCB 13500, Block 1, Lot 10	3.18
10	1 Salado Ridge	NCB 13500, Block 1, Lot 11	3.67
10	1 Salado Ridge	NCB 13500, Block 1, Lot 12	4.87

Address: 1-4 Salado Ridge

Legal Description: NCB 13500, Block 1, Lots 9-12,
Salado Creek P.U.D. Unit 1



City of San Antonio
Discretionary Contracts Disclosure

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.*

(1) Identify any individual or business entity¹ that is a **party** to the discretionary contract:

Julie S. Nelson

(2) Identify any individual or business entity which is a **partner, parent** or **subsidiary** business entity, of any individual or business entity identified above in Box (1):

☒ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.

☒ No subcontractor(s); or

List subcontractors:

(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current or former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

☒ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:


(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

☒ Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts:

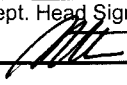
This form is required to be supplemented in the event there is any change in the information before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

Signature: 	Title: Company or D/B/A:	Date: 04 25 04
---	-----------------------------	-------------------

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

Discretionary form

Rev. January 2005

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO			
Approval		Request For Ordinance/Resolution		Consent <input type="checkbox"/> Individual <input type="checkbox"/> Item No. <u>11</u> Ord. No. _____	
Finance	Budget				
Legal Stephen Whitworth	Coordinator				
Date: April 27, 2006		Department: Parks and Recreation		Contact Person/Phone #: Sebastian Guajardo 207-6005	
Date Council Consideration Requested: May 18, 2006		Deadline for Action: ASAP		Dept. Head Signature 	
SUMMARY OF ORDINANCE					
An ordinance authorizing a total of \$192,223.00 for the acquisition of four tracts of land totaling approximately 14.86 acres along Salado Creek in City Council District 10 in connection with the Linear Creekways Development Project; and appropriating the required funds from Proposition 3 Sales Tax Initiative funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]					
Council Memorandum Must be Attached To Original					
Other Depts., Boards, Committees Involved (please specify): This item has been coordinated with the Finance Department, City Attorney's Office, and Office of Management and Budget.					
Contract signed by other party Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
FISCAL DATA (If Applicable)					
Amount Expended \$192,223.00		Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/> Impact on future O & M: None			
Fund 29080000					
*Internal Order No. *(Fill out only the field that is appropriate to your council action.)		If positions added, specify Class and Job No.			
Comments:		Please submit 3 copies with your original			